

Attorney's Docket No.:10559-197001

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Initially, the indication that claims 18-22 remain allowed is appreciatively noted.

The declaration under rule 131 stands objected to as allegedly being ineffective to overcome the Partos reference. This is based on two different reasons.

In item 6, the rejection apparently contends that both inventors must sign the declaration. This is legally incorrect. The declaration is provided to provide evidence of earlier invention date. It is not an inventor's declaration which would require both inventors' signatures. Since this is a factual declaration, either inventor, or assignee, is competent to establish these facts so long as they are within the personal knowledge of this . There is no requirement that BOTH inventors sign such a declaration.

The rejection also alleges that the Partos reference claims the rejected invention. This contention is further respectfully traversed. Claim 1 requires receiving an order, receiving information, transmitting the order, transmitting less information that was received, and transmitting the voucher. This is certainly not defined by any of the claims of Partos.

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In particular, nothing in claim 1 discusses the voucher, nor is this defined by any of the dependent claims which depend from claim 1.

Claim 11 defines the specific subject matter of the customers terminal and sellers terminal, but teaches nothing about this subject matter and specifically nothing about the voucher.

The dependent claims which depend from claim 11 should be analogously allowable. Claim 33 defines a number of steps of carrying out operations of this type, but again the subject matter of claim 1 is not suggested; specifically the steps of transmitting less information than was received and transmitting the voucher.

In addition, claim 34 does not teach this subject matter.

Claim 36 further does not teach this subject matter, nor does claim 38 or any of the other claims remaining in the case. Therefore, to as statement that claims the rejected invention is respectfully traversed.

Analogous limitations are present in claim 7 which therefore is also patentable over Partos.

Claim 13 defines the database which includes information about the first party and directives describing the information about the first party to be transmitted. This is not taught or suggested by Partos. Claim 23 defines placing an electronic

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order with a second party on behalf of the first party and that the amount of information is a function of consideration. This is nowhere claimed by Partos, and therefore should be allowable along with the claims that depend therefrom.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

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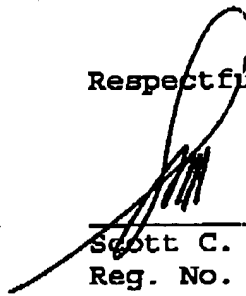
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Respectfully submitted,

Date: October 1, 2004

  
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